

**BOROUGH OF ROCKY HILL
COUNCIL MINUTES
October 18, 2010**

The regular meeting of the Borough Council of the Borough of Rocky Hill was called to order by Mayor Edward Zimmerman at 7:30 PM followed by the salute to the Flag.

NOTICE OF COMPLIANCE WITH OPEN PUBLIC MEETINGS ACT

The following statement was read into the record by Mayor Zimmerman: This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting was included in a list of meetings transmitted to the Courier News and Somerset Spectator on January 6, 2010. Notice remains continuously posted as to required notices under the Statute. A copy of this notice is available to the public and is on file in the Office of the Borough Clerk.

ROLL CALL

Mr. Jim Banks-present, Mr. Jeff Donahue-present, Ms. Linda Goldman-absent, Ms. Julia Hasser-present, Mr. Mark Pausch-present, Mr. Robert Steen-present.

Also present: Borough Attorney Albert Cruz, Deputy Clerk Raymond Whitlock, Borough Engineer William Tanner

MAYOR'S COMMENTS

Mayor Zimmerman stated that the Central Jersey Transportation Forum is scheduled for October 25, 2010 at the Hillsborough Municipal Building. Mayor Zimmerman stated he and Council President Goldman were unable to attend, so if anyone would like to attend he would appreciate it.

Mayor Zimmerman stated a COAH decision has been made. He was not aware of all the details but there is more information coming.

Mayor Zimmerman stated that he spoke with Mayor Calaguire of Montgomery Township regarding the School Board suit, to inquire how he felt the Governing Bodies should handle the opportunity to respond to the suit filed by the School Board. Mayor Calaguire did not feel there was a need to comment on the cuts, as the cuts were made by the County.

Mayor Zimmerman stated the town meeting regarding possible legislation to obtain representation on the School Board as well as a balance of the school tax levy, went very well. Mayor Zimmerman felt there was a great turnout, with the attendance around 50 people. Mayor Zimmerman stated that Senator Bateman and Trudy Doyle did a fantastic job. Mayor Zimmerman stated that there was an agreement with all parties involved that something needs to be done to rectify the issues.

Mayor Zimmerman stated that an agreement was made with Montgomery Township regarding the sewer agreement issues. At this point the terms of the agreement have been turned over to the attorneys to be drafted.

APPROVAL OF MINUTES

Regular Meeting Minutes – October 4, 2010 - Council member Pausch stated his name had been missing from the votes in the minutes. Acting Clerk Newman confirmed the vote tallies and concurred. Motion was made by Pausch to approve the minutes with the corrected votes. Motion was seconded by Banks. Motion carried on a roll call vote- all ayes.

For: Banks, Donahue, Hasser, Pausch, Steen
Against: None
Abstain: None

REQUEST OF COUNCIL FOR NEW OR OLD BUSINESS (NOT ON AGENDA)

New Business- Postage Machine

PUBLIC COMMENT

The floor was opened to the public for comments/questions.

Peggy Harris, Crescent Ave., - Ms. Harris stated that 8 garbage cans at Van Horne Park had been moved to the play area. Ms. Harris stated there is only one trashcan by the gazebo. Ms. Harris asked that they be moved back, as there are no receptacles to throw garbage away when you are walking.

Hearing no further comments the floor was closed.

APPROVAL OF VOUCHERS

Bill list dated 10/18/2010 was presented for approval. Motion was made to approve vouchers by Banks. Motion seconded by Pausch. Motion carried on roll call vote- all ayes.

For: Banks, Donahue, Hasser, Pausch, Steen

Against: None

Abstain: None

DEPARTMENTAL REPORTS

Tax Collector Report – September 2010

Court Administrator Report - September 2010

Motion to accept the reports as presented was made by Hasser. Motion seconded by Donahue. Motion carried on roll call vote- all ayes.

For: Banks, Donahue, Hasser, Pausch, Steen

Against: None

Abstain: None

COMMITTEE REPORTS

Administration & Records – Council Member Hasser read an email from Council President Goldman. The website visitors were up 11.67% - 871 total visits, 566 unique visits. Council Member Steen stated he is updating the website.

Buildings & Grounds – Council Member Donahue stated that the County prisoners weeded both parks. Council Member Donahue stated that there was a broken window in the bathroom that needs to be fixed. Mayor Zimmerman stated that he plans to donate a conference table to the Borough, and that there may be extra file cabinets available from the Borough Hall. Attorney Cruz stated a resolution would need to be adopted stating the file cabinets were surplus items.

Finance & Insurance - Nothing to report at this time

Public Safety & Emergency Services- Council Member Pausch stated that the tree issue that was brought to the Council's attention at the last meeting has been rectified. Council Member Pausch confirmed the time frame for police presence on Halloween night would be between the hours of 5 PM and 8 PM. Mayor Zimmerman stated that the Rescue Squad contacted him requesting funding for some items. Mayor Zimmerman stated that he advised them to write a formal proposal to submit for the Council's review. Deputy Clerk Whitlock stated that the Rescue Squad had a nice presence at the Church picnic last week.

Streets & Roads – Council Member Hasser stated that various streetlights that were out had been replaced. Council Member Hasser stated that the public can call to alert PSE & G directly that street lights are out, and she suggested that this information be placed on the website. Council Member Hasser stated that she has noticed several signs need to be replaced in town.

Approved 11/3/2010

Motion was made by Hasser to approve an amount not to exceed \$250.00, pending verification from the CFO, to be spent on various sign replacements within the Borough. Motion was seconded by Steen. Motion carried on roll call vote- all ayes.

For: Banks, Donahue, Hasser, Pausch, Steen
Against: None
Abstain: None

Engineer Tanner stated there were two catch basins in town that needed to be fixed, one on Toth and one at the Borough Fire House. Engineer Tanner asked that Council Member Hasser speak to the County about fixing them as soon as possible.

Water, Sewer & Environmental Protection -- Council Member Steen stated that 2,821,000 gallons of water were pumped from well # 2 and no water was purchased from NJAW.

Council Representative to Planning Board -- Planning Board meeting was cancelled.

Council Liaison to School Committee -- Nothing at this time

Council Representative to Board of Health -- Council Member Hasser read an email from Council President Goldman stating that the flu clinic would be held on 11/18/2010 between 10 AM and 12 PM at the First Reformed Church. Vaccinations are free to residents, \$25.00 to non-residents; those 65 and older should bring their Medicare part B card. Council Member Hasser stated the Board of Health and the Somerset County Health officials reviewed the amendments to the unfit buildings chapter for Council discussion. Council Member Hasser also read that the Borough well was being inspected and whatever action was necessary would be undertaken.

Zoning Official's Report -- Zoning officer Whitlock stated that a letter was received asking the Borough if they were satisfied with the State construction services, and if the Borough would consider sharing these services with neighboring communities.

Grants Committee -- Council Member Pausch stated that he finally received a return email regarding the direct install program. Council Member Pausch stated that the next step is the inspection of Borough facilities.

SPECIAL BUSINESS

PUBLIC HEARING: ORDINANCE # 8, 2010- AN ORDINANCE REPEALING AND REPLACING CHAPTER 167, STREETS AND SIDEWALKS, OF THE CODE OF THE BOROUGH OF ROCKY HILL

Mayor Zimmerman read the Ordinance by Title, Acting Borough Clerk stated proof of publication was in order and the Ordinance had been posted.

OPEN PUBLIC COMMENT

Floor was opened to the public for comments. Hearing none the floor was immediately closed.

Motion was made by Hasser to adopt Ordinance #8, 2010 as presented. Motion was seconded by Banks. Motion carried on roll call vote- all ayes.

For: Banks, Donahue, Hasser, Pausch, Steen
Against: None
Abstain: None

Resolution 2010-68- Award of Contract for Leaf Removal Services - Engineer Tanner informed the Council that 2 sealed bids were received for the leaf removal service. A discussion ensued regarding the number of pick-ups. Council decided to have 4 pick up dates of 10/25, 11/8, 11/22 and a final one to be determined. Motion was made by Steen to approve the resolution as presented. Motion was seconded by Hasser. Motion carried on roll call vote- all ayes.

For: Banks, Donahue, Hasser, Pausch, Steen
Against: None

Approved 11/3/2010

Abstain: None

2010 Roadway and Sidewalk Improvements - Engineer Tanner stated that 2 sealed bids were received for the 2010 Roadway and Sidewalk Improvements. Council discussed the base bid and alternates. Deputy Clerk Whitlock confirmed \$18,000.00 was appropriated in the budget for sidewalk improvements. A discussion ensued regarding the grant funds being available given the current political and economical climate in the State. Engineer Tanner stated he would follow up with the State regarding the Council's concerns. Motion was made to table the discussion and award of contract to the November 3, 2010 Council meeting. Motion was seconded by Pausch. Motion carried on voice vote- all ayes.

UNFINISHED BUSINESS

Paris Grant Report- Mayor Zimmerman informed the Council that a detailed report had been written regarding the Borough's records. Mayor Zimmerman stated that it was available in the Clerk's office if anyone wanted to review the report. Mayor Zimmerman stated a meeting would be scheduled to go over the report with the Paris Grant people.

NEW BUSINESS

Deputy Clerk Whitlock stated that the postage machine that the Borough currently has is outdated and they no longer make the parts for it. Deputy clerk Whitlock stated that he would like the Council's approval to upgrade to a Mail station 2 unit which is cheaper per month. Motion was made by Banks to approve the request to upgrade the postage machine. Motion was seconded by Pausch. Motion carried on roll call vote - all ayes.

For: Banks, Donahue, Hasser, Pausch, Steen

Against: None

Abstain: None

COMMUNICATIONS:

Communications as listed were distributed, disseminated and filed accordingly.

-Mayor Zimmerman added a letter dated October 7, 2010 from the Board of Chosen Freeholders regarding the updated Capitol Improvements handbook.

FINAL PUBLIC COMMENT

The floor was opened to the public for comments/questions.

Tom Bremner, 17 Crescent - Mr. Bremner stated that the street signs on Reeve or Reeves road disagree. One says Reeve, one states Reeves. Mr. Bremner asked that Council Member Hasser consider that when updating Borough signs.

Hearing nothing further floor was closed.

ADJOURNMENT:

Motion was made by Banks with a second by Pausch to adjourn the meeting at 8:34 PM. All voted in favor of adjournment.

Respectfully submitted:

Rebecca P. Newman
Acting Borough Clerk

Bill List 10.18.2010

List of Bills - (0110101001) CASH
Current Fund

Check#	Vendor	Description	Payment	Check Total
6188	4 - ROCKY HILL 76ERS	PO 2927 2010 ANNUAL CONTRIBUTION ROCKY HILL	600.00	600.00
6189	29 - BOLLINGER INC	PO 2937 griffiths bond 4th qtr s1246809 inv	2,880.00	2,880.00
6190	60 - COURIER NEWS	PO 2933 Ords 6,7,& 8 2010	40.48	40.48
6191	71 - DIFRANCESCO BATEMAN PC	PO 2934 sept 2010 legal fees	1,500.00	1,500.00
6192	86 - GENERAL CODE PUBLISHERS	PO 2929 2011 annual maint fee	1,195.00	1,195.00
6193	354 - IKON Office Solutions Inc	PO 2936 copy machine rental oct 2010	116.35	116.35
6194	463 - MASON, GRIFFIN & PIERSON	PO 2938 plan bd legal fees sept 2010	336.00	336.00
6195	210 - PSE&G	PO 2925 street lights to 9-30-2010	716.63	716.63
6196	210 - PSE&G	PO 2930 boro hall electric	329.06	329.06
6197	210 - PSE&G	PO 2931 crescent pt park electric	19.20	19.20
6198	210 - PSE&G	PO 2932 panicar park electric	7.42	7.42
6199	319 - RARITAN VALLEY DISPOSAL INC	PO 2702 solid waste collection 6-01 to 12-3	3,808.49	3,808.49
6200	247 - SOMERSET COUNTY TREASURER	PO 2926 snow removal 1-28-2010 & 2-26-2010	3,999.56	3,999.56
6201	253 - SPRINT COMMUNICATIONS	PO 2924 mayor & clerk's blackberries	182.35	182.35
6202	286 - VAN CLEEF ENGINEERING	PO 2935 engineering exp sept 2010	4,157.53	4,157.53
6203	293 - ROCKY HILL WATER & SEWER DEPARTMENT	PO 2928 3rd qtr water & Sewer & Hydrant fee	754.00	754.00
TOTAL				20,642.07
Total to be paid from Fund 01 Current Fund			20,642.07	
			=====	
			20,642.07	

List of Bills - (0810101001) CASH
UTILITY OPERATING

Check#	Vendor	Description	Payment	Check Total
5911	415 - AQUA PRO TECH LABS	PO 2945 water test sept 1-2010	9.00	9.00
5912	364 - BRIAN RICHTER	PO 2940 meter readings 3rd qtr 2010	200.00	200.00
5913	98 - HESCO ELECTRIC SUPPLY	PO 2944 s&d bolt breaker	23.40	23.40
5914	321 - MIRACLE CHEMICAL CO	PO 2942 25 gals chlorine	71.75	71.75
5915	450 - ONE CALL CONCEPTS INC	PO 2943 one calls sept 2010	7.49	7.49
5916	210 - PSE&G	PO 2946 water dept electric	6,410.54	6,410.54
5917	259 - NEW JERSEY STATE TREASURER	PO 2941 3rd qtr water use tax	77.51	77.51
5918	286 - VAN CLEEF ENGINEERING	PO 2939 water sewer eng. sept 2010	752.95	752.95
TOTAL				7,552.64
Total to be paid from Fund 08 UTILITY OPERATING			7,552.64	
			=====	
			7,552.64	

Explanation: This Ordinance repeals and replaces Chapter 167, Streets and Sidewalks, of the Code of the Borough of Rocky Hill by repealing redundant or contradictory provisions, adding procedures, updating fees, and renumbering sections.

Borough of Rocky Hill

Ordinance # 8, 2010

**AN ORDINANCE REPEALING AND REPLACING CHAPTER 167,
STREETS AND SIDEWALKS, OF THE CODE OF THE
BOROUGH OF ROCKY HILL BY REPEALING REDUNDANT OR
CONTRADICTIONARY PROVISIONS, ADDING PROCEDURES,
UPDATING FEES, AND RENUMBERING SECTIONS.**

BE IT ORDAINED, by the Mayor and Council of the Borough of Rocky Hill, County of Somerset, State of New Jersey, that Chapter 167 of the Code of the Borough of Rocky Hill, titled "Streets and Sidewalks" is hereby amended as follows:

Section 1. Chapter 167, Streets and Sidewalks, is repealed in its entirety and replaced as follows:

Chapter 167:

STREETS AND SIDEWALKS

ARTICLE I

Use of Streets

§ 167-1. Street obstructions.

No person or corporation, except for utility companies, shall encumber or obstruct any street, sidewalk, or the space in between the street and sidewalk of the Borough, nor cause the same to be done, with any article whatever, without the consent of the Borough Engineer, and such permission shall limit the time and space to be so occupied.

§ 167-2. Weeds, garbage and other impediments.

All owners and occupants of property shall keep the gutters, where the road surface meets the curb, in front of and adjoining the same free and clear of all weeds, grass, debris, garbage and other impediments and a refusal to do so within forty-eight (48) hours after notice from a Constable shall be considered a violation of this Ordinance.

§ 167-3. Removal by Borough; cost charged to property owner; collection.

- A. In case the property owner shall neglect or refuse to eliminate the cause of the violation of §167-2 above within forty-eight (48) hours after notice to remove the same, the Borough of Rocky Hill may cause removal of the same.
- B. In all cases where said violation is remediated by the Borough of Rocky Hill under and by virtue of the provisions of this Ordinance, the Clerk of the Borough of Rocky Hill shall certify the cost thereof to the Borough of Rocky Hill Council which shall thereupon examine the certificate and, if found correct, shall cause the cost as shown therein to be charged against the property.
- C. The amount so charged shall become a lien upon such land and shall be added to and become and form part of the taxes next to be assessed and levied upon such lands, the same to bear interest at the same rate as taxes, and shall be collected and enforced by the same officers and in the same manner as taxes.

§ 167-4. Violations and penalties.

Violations of the provisions of Article I shall be punishable as provided in Chapter 1, General Provisions, Article I, General Penalty, herein. Each violation shall be considered a separate offense. Each day's continued violation shall be treated as a separate offense subject to a separate penalty.

ARTICLE II

Use of Sidewalks

§ 167-5. Permit required for construction.

No sidewalk along the public right-of-way shall be constructed or altered by the property owner or occupant of property without first securing a permit from the approving authority or authorities and all walks so constructed shall comply with the rules and regulations of the Borough, including the Development Regulations Ordinance of the Borough of Rocky Hill.

§ 167-6. Inspection; determination of need for repair by Council.

The Borough Engineer shall be directed, as a part of the regular duties of said office, to make a periodic inspection of the sidewalks along the streets or highways in the Borough and make a report to the Borough Council listing any such sidewalk that is in need of repair or reconstruction. The Council shall, upon receipt of said inspection report, determine those sidewalks that are to be repaired or reconstructed.

§ 167-7. Responsibility for costs.

The cost of the repair or reconstruction of existing sidewalks along the streets or highways of the Borough shall be met out of the general revenue of the Borough, as long as the wear is the result of normal use, and is not the result of willful damage or of construction on the property adjacent to the sidewalk that was performed for, or by, the owner of the adjoining property, in which case the adjoining property owner shall be responsible for the cost of all repairs.

§ 167-8. Violations and penalties.

Violations of the provisions of Article II shall be punishable as provided in Chapter 1, General Provisions, Article I, General Penalty, herein. Each violation shall be considered a separate offense. Each day's continued violation shall be treated as a separate offense subject to a separate penalty.

ARTICLE III

Excavations

§ 167-9. Permit required.

No person shall make any excavation in, or tear up the surface of, or jack or drill under, any Borough road, street, sidewalk, or public right of way in the Borough for any purpose whatever without first obtaining a permit from the Borough Engineer or the Borough Engineer's designee.

§ 167-10. Application; statement of purpose and location sketch.

Application shall be made in writing for the permit to excavate or tear up the surface or jack or drill under any Borough street as specified in §167-8 above. The application should include the purpose of such excavation, a location sketch and, if needed, a plan to address public or traffic safety concerns at excavation site.

§ 167-11. Notification that work is to begin.

No work covered by a permit shall begin until the Borough Engineer is notified. Notification shall be in writing and be received at least forty-eight (48) hours in advance of the start of work.

§ 167-12. Deposit.

Before any permit shall be issued, a payment or deposit as provided in §167-25 shall be made to the Borough Clerk or such other person as may from time to time be designated by resolution of the Borough Council. All money so paid or deposited shall be promptly paid to the Borough Clerk to be deposited in the name of the Borough and held for the purpose hereinafter provided.

§ 167-13. Barricades and lights; Detours.

- A. Unless the excavation requires the closing of a road, the permittee shall properly guard the excavation by the erection of suitable barriers by day and lights by night, and the permittee shall be liable for any neglect to the safeguard of the traveling public. The Borough Engineer must approve all plans for safeguarding excavations.
- B. When an excavation requires the closing of a road, in whole or in part, the Borough Engineer will develop or approve a traffic detour plan including specifying the times and dates of the detours, the signage required, and, if needed, the appropriate pre-notification process and signage.

§ 167-14. Restoration of street.

The permittee shall be required to restore the opening in accordance to Borough specifications for roadway repair, as directed by the Borough Engineer.

§ 167-15. Tunneling prohibited.

Tunneling shall not be permitted under any circumstances and shall be an unlawful exercise of the privilege under any such permit and a violation thereof, but this shall not be construed as preventing jacking or drilling when proper permits shall have been secured.

§ 167-16. Placement of removed materials; trench length; closing of trenches.

Material removed from the opening shall be so placed not to interfere with street drainage. Trenches that cut the full width of the road may only be opened 1/2 of the width of the road at a time. For all other trenches, not more than 200 feet of trench may be opened at any one time. All openings must be closed within the time specified in the permit unless an extension of time is granted.

§ 167-17. Refund of deposit after restoration of street.

Upon the completion of the fill and the restoration of the pavement and its approval by the Borough Engineer, the money paid or deposited shall be refunded to the applicant. Should the applicant fail to properly fill and replace the pavement to the satisfaction of the Borough Engineer, the Borough may replace the pavement and charge the cost thereof against the deposit and upon the completion thereof pay the surplus, if any, less a re-inspection fee.

§ 167-18. Public utilities bond.

In case of public utility openings, the Borough may accept a bond from such utility, in such form and in such amounts, as may be authorized by applicable law. Each and every opening, however, must be treated separately and shall require a separate permit. The bond shall be to guarantee proper restoration of the street on the part of the obligor.

§ 167-19. Compliance with regulations.

The permittee shall follow all rules, regulations and ordinances governing road openings, and the permit is given with the distinct understanding that it shall be binding the same as though these instructions were fully set forth in the permit.

§ 167-20. Approval of restored street by Borough Council.

The permittee shall be released from further obligation when the Borough Engineer shall certify to the Borough Council that such restoration has been completed and the Borough Council shall have approved the same.

§ 167-21. Actions constituting violations.

- A. Any person, making any excavation in or tearing up the surface of or jacking or drilling under any Borough street without having first secured a permit as provided herein shall be guilty of violation of this Ordinance.
- B. Any person, failing to properly guard any excavation as herein provided, placing materials removed from an excavation so as to interfere with street draining, opening a trench the full width of any street or more than 200 linear feet at any one time, shall be guilty of a violation of this Ordinance.

§ 167-22. Permit to construct required.

- A. No person shall construct a driveway entrance, or cut, alter or remove a curb, or part thereof, from, to, in or along any public street or right-of-way in the Borough without first having obtained a permit to do so pursuant to the provisions of this Ordinance, and then only in accordance with and during the life of such permit.
- B. Application for such permit shall be made in writing and shall be accompanied by a fee as provided in § 167-25 and a sketch showing the location and details of such installation, construction, cutting, alteration or removal. Such application shall be filed with the Borough Engineer, and such permit upon its approval by the Borough Engineer shall be valid for a period of one year from the date of issuance.

§ 167-23. Paving of driveway entrances.

Where necessary to facilitate drainage or to prevent cracking or crumbling of the adjacent road surface, to prevent stones or dirt washing or carrying onto the road surface, or otherwise preserve the safety of users of the road, and reduce maintenance requirements, the Borough Engineer shall require, as a condition of such permit, the paving of the first 20 feet of such driveway entrance.

§ 167-24. Installation of conduits.

When it becomes necessary to construct a pipe or conduit across a driveway entrance leading from a public highway, or when it becomes necessary to install a pipe or conduit in a ditch adjacent to a public highway, permission must first be obtained from the

Borough Engineer. Such installation shall be laid to the line and grade satisfactory to the Borough Engineer so proper drainage will be assured.

§ 167-25. Water flow onto streets.

No person shall construct any private street, lane, driveway or other means of egress so that water therefrom will flow onto any public street or highway or into any public drains without the permission of the Borough Council.

§ 167-26. Fees.

A. Deposits for excavation permits shall be as follows:

- (1) Deposit (per square yard): \$150.00
- (2) Minimum deposit: \$1,500.00

B. Curb removal fees shall be as follows:

- (1) Fee: \$125.00
- (2) Re-inspection fee: \$75.00

C. Road opening permit fees shall be as follows:

- (1) Permit fee: \$150.00
- (2) Re-inspection fee due to improper closure: \$150.00

§ 167-27. Violations and penalties.

Violations of the provisions of Article III shall be punishable as provided in Chapter 1, General Provisions, Article I, General Penalty, herein. Each violation shall be considered a separate offense. Each day's continued violation shall be treated as a separate offense subject to a separate penalty.

ARTICLE IV

Snow and Ice Removal

§ 167-28. Time limit for removal; exception.

The owner or tenant of any property abutting or bordering any sidewalk or public street in the Borough of Rocky Hill shall remove or cause to be removed from the sidewalks in front of or bordering on their said lands all snow or ice within twenty-four (24) hours after same shall be formed or fall thereon and the snow storm has ended, provided that if by reason of low temperature it is impossible to remove such snow and ice then said sidewalks shall be spread with salt or sand sufficient to make the same safe for pedestrians until such time as the snow and ice can be removed, when said owner or tenant shall remove or cause the same to be removed as hereinbefore provided.

§ 167-29. Failure to remove; removal by Borough.

In the event that said owner or tenant shall neglect or refuse to comply with the provisions of § 167-27 above, the Borough Constable may issue a notice to said party directing such compliance. In the event that said owner or tenant shall fail to comply with said notice within 24 hours from delivery thereof, the Borough, through its proper officials, may, at its sole option but without any obligation, remove or caused to be removed said snow and ice from the sidewalk in front of or bordering on said land, or cause the sidewalks to be spread with salt or sand as hereinbefore provided.

§ 167-30. Cost to become lien.

The cost paid and incurred by the Borough for removing such snow and ice or for spreading salt or sand, or both, as the case may be, shall be charged against the lands abutting or bordering such sidewalk. The amount so charged shall forthwith become a lien upon such lands and shall be added to and form part of the taxes next to be assessed and levied upon such lands, the same to bear interest at the same rate as taxes, and shall be collected and enforced by the Borough in the same manner as taxes.

§ 167-31. Violations and penalties.

Such owner or tenant, for every neglect or refusal to comply with the provisions of Article IV, shall be subject to a fine of \$50 for such neglect or refusal. Each day that such neglect or refusal continues shall be considered a separate offense for purposes of calculating the fine to be paid.

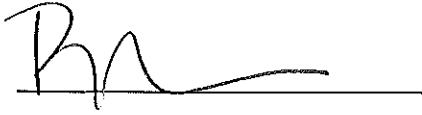
§ 167-32. Extension of time for compliance.

The Mayor, or in the Mayor's absence the acting Mayor, shall have the authority to issue an executive order extending the time for compliance with the provisions of Article IV when, in the judgment of the Mayor, such extension is necessary and proper.

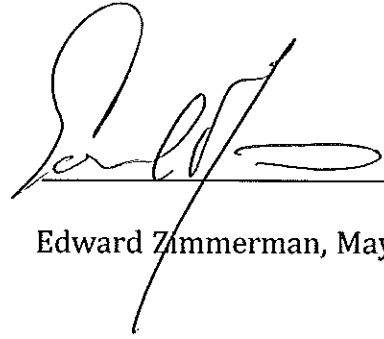
Section 2. Should any provision of this Ordinance be determined invalid by a court or administrative tribunal of competent jurisdiction, such determination shall not affect the remaining provisions.

Section 3. This Ordinance shall take effect immediately upon final passage and publication as required by law.

ATTEST:



Rebecca P. Newman
Acting Borough Clerk



Edward Zimmerman, Mayor

Introduced: October 4, 2010
Public Hearing Scheduled: October 18, 2010
Adopted: October 18, 2010

CERTIFICATION

I, Rebecca P. Newman, Acting Clerk of the Borough of Rocky Hill, do hereby certify the foregoing to be a true and correct copy of an ordinance introduced by the Borough Council of the Borough of Rocky Hill on October 4, 2010.

Rebecca P. Newman
Acting Borough Clerk